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OFFICE OF PETITIONS

In re Application of
Gunaratnam, et al.
Application No. 10/090,173
Filed: March 6, 2002
Attorney Docket No. P 284983

ON PETITION

This is a decision on the papers styled, "Request To Withdraw Notice of Abandonment," which has been treated as a petition under 37 CFR 1.181, filed March 24, 2006, to withdraw the holding of abandonment.

The petition is **GRANTED**.

This application became abandoned for failure to timely file a proper reply to the non-final Office action mailed October 22, 2003. Accordingly, this application became abandoned on January 23, 2004. A Notice of Abandonment was mailed on March 20, 2006.

Petitioner asserts that a response, in the form of an amendment and a two (2) month extension of time, were timely submitted on March 22, 2004. In support, the petition is accompanied by a copy of applicants' postcard receipt that acknowledges receipt of an amendment and a check for \$506.00 on March 22, 2004. However, it is noted that the amendment is not found in the application file, and that USPTO financial records indicate the two (2) month extension of time as received on March 22, 2004. As such, it is assumed that the amendment submitted March 22, 2004 was misplaced by the Office.

Accordingly, the petition is granted and the holding of abandonment is withdrawn.

This application is being forwarded to Technology Center 3700, for review of the amendment, filed March 24, 2006 (originally filed March 22, 2004), *in due course*.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3228.

Edward J. Tannouse
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for Patent Examination Policy